

REMARKS

Upon entry of the present amendment, claims 1-6, 8, 16 and 18 will remain pending in the above-identified application and stand ready for further action on the merits.

The amendments made herein to the claims do not incorporate new matter into the application as originally filed. For Example, support for the amendment to claim 1 occurs at page 17, lines 4-8, as well as throughout the original specification as filed. The amendments to claims 3-4 simply correct typographical errors noted by the Examiner. Support for the new Abstract occurs in the originally filed Abstract.

***Claim Rejections Under 35 USC § 102/103(a)***

Claims 9-14 and 17 have been rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Atkinson et al. '466 (US 4,900,466). Claims 9-14 and 17 have also been rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Grecsek et al. '419 (GB 2,097,419). Further, claims 1-6, 8-14 and 16-18 have been rejected under 35 USC § 103(a) as obvious over Emery et al. '095 (US 6,191,095). Reconsideration and withdrawal of these rejections are respectfully requested based on the amendments made herein to the claims, and the following considerations.

First, each of claims 9-14 and 17 have been cancelled herein, so that all outstanding rejections thereof over the disclosures of Atkinson et al. '466, Grecsek et al. '419 and Emery et al. '095 must now be withdrawn.

With respect to the remaining pending claims (claims 1-6, 8, 16 and 18), it is submitted that the cited art of Emery et al. '095 is incapable of negating the patentability thereof under the provisions of 35 USC § 103(a).

In the Emery '095 disclosure (e.g., see Emery's Examples) composite detergent particles containing builder particles B1 are obtained by spray-drying two or more water-soluble substances (i.e., tripolyphosphate and silicate). Since the tripolyphosphate and the silicate in Emery are both "water-soluble salts" ( i.e., a water-soluble inorganic salt and a low-molecular water-soluble organic acid salt), it follows that the disclosure of Emery '095 is completely incapable of providing for the invention under consideration wherein *"detergent additive particles (a) comprising 30 to 100% by weight of two or more kinds of water-soluble substances wherein a molar ratio of other one or more kinds of water-soluble substances to one kind of water-soluble substance is 7/3 or less, wherein the water-soluble substances comprise a water-soluble salt and a water-soluble polymer"* as is recited in independent claim 1.

Additionally, it is noted that there are advantages of using the water-soluble substances recited in claim 1 of the invention, as is noted at page 25, lines 15-24 of the original specification. These advantages include an effect of enhancing the particle strength of the detergent additive particles, an action of giving a bubble-releasing structure to the particle, a localized structure of the compositions, a fine void in the inner portion of the particle, etc.

Based on the above considerations, it is submitted that the cited Emery '095 reference is incapable of providing any motivation to those of ordinary skill in the art that would allow them to arrive at the instant invention as claimed. Absent such motivation in the cited art of Emery '095 the outstanding rejection under 35 USC § 103(a) based thereon cannot be sustained.

***Double Patenting Rejection***

Claims 9-14 and 17 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 5, 7, 9, 11, 15 and 17 of US 6,376,453. Reconsideration and withdraw of the obviousness-type double patenting rejection is respectfully requested based on the cancellation of claims 9-14 and 17 herein.

CONCLUSION

Based on the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance indicating that each of the pending claims 1-6, 8, 16 and 18 are allowed and patentable under the provisions of title 35 of the United States Code.

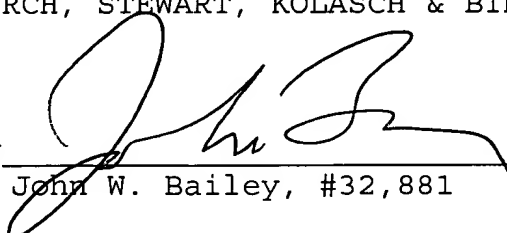
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

  
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